



From the Director

By: Charles G. Marceaux
Executive Director

LEGISLATIVE UPDATE

The 2003 Legislative Session yielded two important pieces of legislation which affect the construction industry.

One of the best consumer protection acts in recent history, Act 1146 requires the registration of home improvement contractors involved in work in excess of \$7500. It became effective on August 15, 2003.

Act 880 mandates the licensure of mold remediation contractors effective July 1, 2004. It offers protection from frivolous claims involving mold assessment and remediation and would seem to protect consumers (homeowners) as well as commercial land developers and owners and commercial and residential builders.

We have included highlights of each of these laws in this issue of the newsletter.

CONSTRUCTION Update

State Licensing
Board For
Contractors

Spring - Summer, 2003
Volume 9, Number 2

QUARTERLY REPORT

CONSTRUCTION Update

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First Congressional District

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www.lslbc.state.la.us

Home Improvement Registration Act Highlights

See http://www.legis.state.la.us/leg_docs/03RS/CVT4/OUT/0000KTIZ.PDF for complete text of Act 1146

- Regulates contracting services in an amount **in excess of \$7500**.
- Does not include services rendered gratuitously.
- **Agreement** shall be in writing and shall include the following:
 1. **Complete agreement** between owner and contractor and clear description of any other documents which are part of the agreement.
 2. **Full names, addresses, and registration number** of the home improvement contractor.
 3. **Detailed description of the work and materials** to be used.
 4. **Total amount agreed to be paid** including all change orders and work orders.
 5. Approximation of the cost expected to be borne by the owner under a **cost-plus contract or a time-and-materials contract**.
 6. **Signatures** of all parties.
 7. **Copy of signed contract** must be provided to owner at time of signing. No work shall begin prior to providing signed copy to owner.
 8. Contracts which fail to comply with requirements **shall not be invalid solely because of noncompliance**.
- **Registration** shall include the following:
 1. **Written application** under oath.
 2. **Applicant's name, home address, business address, and social security number**.
 3. Names and addresses of any and all **owners, partners, or trustees of the applicant** including the names and addresses of any and all **officers, directors, and principal shareholders** (except for publicly traded companies).
 4. Statement of whether there have been **previous judgments or arbitration awards** against contractor, whether or not and under what names he's been previously registered, and whether registration has ever been suspended or revoked.
 5. Proof of **worker's compensation** insurance.
 6. Submit fee not to exceed \$50.
 7. Subcommittee shall issue a non-transferable **certificate of registration** which shall bear a number **valid for one year from date of issuance**.

PROHIBITED ACTS:

1. Operating without a registration certificate.
2. Abandoning or failing to perform work without justification or deviating from plans or material specifications without consent of the owner.
3. Failing to credit payment.

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State Licensing Board Field Offices

Lake Charles

Bud Building

1225 Hodges Street

Lake Charles, Louisiana 70601

(337) 491-2241

Shreveport

Shreveport City Hall Annex
(Old State Office Building)

1237 Murphy Street - 2nd Floor

Shreveport, Louisiana 71101

(318) 676-7257

New Orleans

Joseph Yenni Building

1221 Elmwood Park Blvd.

Suite 210

Harahan, Louisiana 70123

(504) 736-7125

Mold Remediation Act Highlights

See http://www.legis.state.la.us/leg_docs/03RS/CVT3/OUT/0000KSYN.PDF for full text of Act 880

DEFINITIONS:

Mold Remediation means the removal, cleaning, sanitizing, demolition, or other treatment, including preventive activities, of mold or mold-contaminated matter that was not purposely grown at that location.

SCOPE:

This Chapter **applies only to the regulation of mold-related activities that affect indoor air quality** and does not apply to routine cleaning when not conducted for the purpose of mold remediation.

POWERS AND DUTIES OF THE BOARD:

Report all violators of the provisions of this Chapter to the attorney general.

APPLICATION AND LICENSING:

- **Beginning July 1, 2004**, no person shall hold himself out as or engage in the business of mold remediation unless such person holds a mold remediation license as provided for in this Chapter.
- **Minimum Qualifications:**
 1. **Eighteen years of age;**
 2. **Successful completion of high school or its equivalent;**
 3. **Satisfactory completion of** at least the following board-approved **course work:**
 - **Twenty-four (24) hours** of training in **mold remediation and basic mold assessment** and
 - **Four (4) hours** of instruction in **Louisiana's "Unfair Trade Practices and Consumer Protection Law";**
 4. Insurance certificates evidencing **workers' compensation coverage and liability insurance in a minimum amount of \$50,000;**
 5. **Financial statement**, current to within twelve (12) months by the date of filing, prepared by an independent auditor and signed by the applicant and auditor before a notary public, that reflects a **net worth of at least ten thousand dollars (\$10,000)**. An applicant without the net worth required may furnish the board a bond, letter of credit, or other security in the amount of \$10,000 plus the amount of the applicant's negative net worth if any.

FEES:

- | | |
|-----------------------------|----------|
| • Application | \$100.00 |
| • Renewal | \$100.00 |
| • Delinquent renewal | \$ 50.00 |

The fee shall not be charged to a licensed residential building contractor who performs mold remediation services when acting within the scope of his license.

WRITTEN REPORTS; PROHIBITED ACTIVITIES:

- **Written report** shall be provided to each person for whom mold assessment services are performed for compensation.
- **No licensee shall perform both** mold assessment and mold remediation on the **same property**.

- **No person shall own an interest in both** the entity which performs mold assessment services and the entity which performs mold remediation services on the **same property**.

LICENSE ISSUANCE AND RENEWAL:

- Licenses shall be issued for a period of one year and **shall expire on December 31st** of the year in which they are issued. Licenses which are not renewed shall be considered to be expired.
- A license **may be renewed up to six months immediately following the expiration date** by filing a renewal application and payment of the appropriate renewal and delinquent fees.
- Failure to renew during the six month period immediately following the expiration of a license shall result in **forfeiture of renewal rights and submission of a new application**.

PROHIBITED ACTS; PENALTIES:

- **Suspension, revocation, or censure, fine, probationary or other restrictions** on a licensee for good cause which shall include but not be limited to the following:
 1. Conviction of a **felony** or entering of a plea of guilty or **nolo contendere to a felony** charge;
 2. Deceit or **misrepresentation in obtaining a license;**
 3. Providing **false testimony** before the Board;
 4. Efforts to **deceive or defraud the public;**
 5. Professional **incompetence or gross negligence;**
 6. Rendering or verifying **false, deceptive, misleading, or unfounded opinions or reports;**
 7. Violating any rule or regulation adopted by the board;
 8. Knowingly combining or **conspiring with an unlicensed person** with the intent to evade the provisions of this Chapter;
 9. Holding oneself out as or acting in the capacity of a person who performs mold remediation services **without possessing a license;** or
 10. **Falsely representing oneself as holding a license** to perform mold remediation.
- **Fine** not to exceed two thousand dollars (\$2000) per violation and ten thousand dollars (\$10,000) for each subsequent violation.

REVOCATION OR SUSPENSION:

- Revocation **may prohibit the reissuance of a license for a period of up to one year** from the date of revocation. The license of an applicant whose license has been revoked **may be reissued** by the board **upon submission of evidence** by the applicant **of satisfactory completion of the board-approved course work required for new applicants**.

EXEMPTIONS:

1. A **residential property owner** who performs mold remediation on his own property;

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Disciplinary Actions of State Licensing Board

October 2002 Commercial

T.A. Miller, Inc.

Shreveport, Louisiana

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: No contest plea. Fined and assessed all costs associated with the proceedings.

Brummerloh Floor Covering, Inc.

Zwolle, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: No contest plea. Fined and assessed all costs associated with the proceedings.

S & B Holdings, LLC

Tallulah, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Hayward "Buck" Langston

St. Francisville, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Capco Steel, Inc.

San Antonio, Texas

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Southern Reproductions, Inc.

St. Francisville, Louisiana

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined, assessed all costs associated with the proceedings, and placed on probation for one year.

BR Brick and Masonry, Inc.

Houston, Texas

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

MNR Masonry, Inc.

Longview, Texas

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

R. K. Wallace Construction, Inc.

Jayess, Mississippi

Allegation: Submitting a quote to an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: No action taken.

Southern Reproductions, Inc.

St. Francisville, Louisiana

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Found not guilty.

Daniel Vessell

Jackson, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: No action taken.

Gin-Gin, L.L.C.

St. Francisville, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Assessed all costs associated with the proceedings.

Residential

Tate and Becky Richard

Lake Charles, Louisiana

Allegation: Constructing multiple residences in amounts in excess of \$50,000 without possessing a State residential license.

Action: Found guilty. Fined, assessed all costs associated with the proceedings.

Jamie & Elizabeth White/Dale Guarino

Hammond, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Found guilty. Fined, assessed all costs associated with the proceedings, and cease and desist order issued.

Braud, Dale

St. Amant, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Celebration Home Builders, Inc.

Prairieville, Louisiana

Allegation: Failure to satisfy a judgment.

Action: License revoked and cease and desist order issued.

Homestar Construction, Inc.

Prairieville, Louisiana

Allegation: Failure to satisfy a judgment.

Action: License revoked and cease and desist order issued.

Continued on page 5

Disciplinary Actions of State Licensing Board

Continued from page 4

Roby & Lori Wax

Zachary, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Gary Holmes

Denham Springs, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Found guilty. Fined, assessed all costs associated with the proceedings, and cease and desist order issued.

Joey Allen

Jena, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Rudolph Viener d/b/a Tri-State Construction

Mandeville, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Calvert Babin

Alexandria, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Emmanuel Harris

Baker, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Authentic Builders, Inc.

Metairie, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Bonvillain Construction Co., Inc.

Houma, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Broussard & Downs Builders, Inc.

Alexandria, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Roy M. Cobb

Baton Rouge, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Lucien Coco, Jr.

Mandeville, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Doucette & Associated Contractors, Inc.

New Orleans, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Dennis Elder

Lake Charles, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Englund Construction, Inc.

Lafayette, Louisiana

Allegation: Failure to maintain general liability and worker's compensation insurance coverages.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Leonard Lane Guillory

Shreveport, Louisiana

Allegation: Failure to maintain general liability and worker's compensation insurance coverages.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Gulf Construction, LLC

Gonzales, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Philip Harold Hano

Walker, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

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Disciplinary Actions of State Licensing Board

Continued from page 5

Pervis Havis Construction, Inc.

Dry Prong, Louisiana

Allegation: Failure to maintain general liability and worker's compensation insurance coverages.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Donald Hebert

Thibodaux, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Home Solutions, LLC

New Orleans, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Lane Drywall Construction, Inc.

Lafayette, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Magnolia Construction of St. Tammany, Inc.

Slidell, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Kenneth E. Page

Denham Springs, Louisiana

Allegation: Failure to maintain general liability and worker's compensation insurance coverages.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Kevin G. Pichon, Sr.

Slidell, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Scout Custom Homes, LLC

Baton Rouge, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Donald Thurman

Stonewall, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Genzai Kenneth Wang

Baton Rouge, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Henry Wolfe

Hahnville, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

November 2002

Commercial

Randall Smith Construction

Baton Rouge, Louisiana

Allegation: Allowing license to be used by an unlicensed contractor.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Ted Hill

Baton Rouge, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Abrams Construction, Inc.

Atlanta, Georgia

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Continental Construction Services

Spring, Texas

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Doty & Associates, Inc.

Norcross, Georgia

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

U. S. Builders, Inc.

Bellaire, Texas

Allegation: Allowing license to be used by an unlicensed contractor.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

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Disciplinary Actions of State Licensing Board

Continued from page 6

United Electric, Inc.

West Monroe, Louisiana

Allegation: Allowing license to be used by an unlicensed contractor.

Action: Guilty plea. Fined, assessed all costs associated with the proceedings, and placed on probation for one year.

Fred Cone Construction

Orlando, Florida

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Patrick Gilbert

Monroe, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found not guilty.

Acadian Shipyard, Inc.

Bourg, Louisiana

Allegation: Failure to register a qualifying party.

Action: License revoked.

Mid-South Plant Services, Inc.

Marrero, Louisiana

Allegation: Failure to register a qualifying party.

Action: License revoked.

December 2002

Commercial

Baldwins Industrial Services, Inc.

Houston, Texas

Allegation: Failure to register a qualifying party.

Action: License revoked.

Industrial Tank Seals, Inc.

Port Arthur, Texas

Allegation: Failure to register a qualifying party.

Action: Allowed 30 days to register a qualifying party or license revoked. License revoked.

Primelink Systems, Inc.

Folsom, Louisiana

Allegation: Failure to register a qualifying party.

Action: License revoked.

Psychometric Systems, Inc.

Golden, Colorado

Allegation: Failure to register a qualifying party.

Action: Allowed 30 days to register a qualifying party or license revoked. License revoked.

US Filter/Scaltech, Inc.

Houston, Texas

Allegation: Failure to register a qualifying party.

Action: Allowed 30 days to register a qualifying party. Qualifying party replaced.

January 2003

Commercial

Golf Paths Unlimited Inc.

Tipton, Georgia

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Triad Hospitality, LLC

New Orleans, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Luzer Electric

Miami, Florida

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

The Cybercomm Corporation

Mandeville, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Assessed all costs associated with the proceedings.

Collins General Contractor, Inc.

Natchitoches, Louisiana

Allegation: Failure to satisfy judgement.

Action: Commercial and residential licenses revoked.

Residential

William E. Souheaver, Jr.

Slidell, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Rodney Powell/K & R Development, LLC

Denham Springs, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Kenneth Laurence/K & R Development, LLC

Denham Springs, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

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Disciplinary Actions of State Licensing Board

Continued from page 7

Homer Laurence/K & R Development, LLC

Denham Springs, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

All Trade Service Company, LLC

Ruston, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

George Brinson

Monroe, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

James B. Smith

Greenwell Springs, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Peterson Enterprises, LLC

Shreveport, Louisiana

Allegation: Constructing a residence in an amount in excess of \$50,000 without possessing a State residential license.

Action: Settlement offer accepted. Assessed all costs associated with the proceedings.

February 2003

Commercial

Wadsworth Golf Construction of the Southeast

Oldsmar, Florida

Allegation: Entering into contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Hunter Kneppshield Company

Plano, Texas

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

W. S. Bowlware Construction, Inc.

Oklahoma City, Oklahoma

Allegation: Entering into contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

March 2003

Commercial

Inco Repair, Inc.

Franklin, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Universal Scapes, Inc.

Tuscaloosa, Alabama

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Mark Harlan

Alexandria, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Overhead Door Company of Shreveport

Shreveport, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Assessed all costs associated with the proceedings.

S. S. Kemp & Co., Inc.

Cleveland, Ohio

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Fire Security Systems, Inc.

Bossier City, Louisiana

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Settlement offer accepted. Assessed all costs associated with the proceedings.

McDaniel Fire Systems, Inc.

Valparaiso, Indiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Settlement offer accepted. Assessed all costs associated with the proceedings.

The Wieland-Davco Corporation

Lansing, Michigan

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Settlement offer accepted. Assessed all costs associated with the proceedings.

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Disciplinary Actions of State Licensing Board

Continued from page 8

Nathian Hossley

Lafayette, Louisiana

Allegation: Pled guilty to federal criminal charges which arose from and related to his construction activities.

Action: No action taken.

Prime Contractors of Missouri, Inc.

Springfield, Missouri

Allegation: Failure to replace qualifying party.

Action: License revoked.

April 2003

Commercial

Raphael Luneau

Lecompte, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined, assessed all costs associated with the proceedings, and cease and desist order issued.

Joseph G. Russ

Bastrop, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: No action taken.

Ranger Fire, Inc.

Austin, Texas

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Settlement offer accepted.

Diamond Metal Coatings, Inc.

Baton Rouge, Louisiana

Allegation: Allowing license to be used by an unlicensed contractor.

Action: Guilty plea. Settlement offer accepted. Must retake Business and Law exam.

A Storage Mall, Inc.

Baton Rouge, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Settlement offer accepted.

Southwind Group, Inc.

Abilene, Texas

Allegation: Failure to register a qualifying party.

Action: Allowed 30 days to register a qualifying party or license revoked. Qualifying party replaced.

Inland Industrial Contractors, Inc.

Tallahassee, Florida

Allegation: Failure to register a qualifying party.

Action: Allowed 30 days to register a qualifying party or license revoked. License revoked.

Hemphill Corporation of Oklahoma

Tulsa, Oklahoma

Allegation: Failure to register a qualifying party.

Action: License surrendered.

Little Rock Tile & Marble, Inc.

Little Rock, Arkansas

Allegation: Failure to register a qualifying party.

Action: Allowed 30 days to register a qualifying party or license revoked. License revoked.

West Coast Industrial Systems, Inc.

Lebanon, Oregon

Allegation: Failure to register a qualifying party.

Action: License surrendered.

Residential

Bernard's American Home Sales, Inc.

Pineville, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Proof of coverage provided.

Edward A. Buelle, Jr.

Slidell, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: License suspended and cease and desist order issued.

Cecelia Hardware, Inc.

Cecelia, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: License surrendered.

Lavoy Tingle

Denham Springs, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Proof of coverage provided.

Sid Dupin Construction

Lake Charles, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Stephen D. Kleinpeter – Contractor, Inc.

Baton Rouge, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Chris Schouest, Sr.

Houma, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Continued on page 10

Disciplinary Actions of State Licensing Board

Continued from page 9

Rene Jude Baham

Madisonville, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Found guilty. License suspended and cease and desist order issued.

Jonny L. Ellzey

Natchitoches, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: License surrendered.

Mike Porche Construction, Inc.

Lake Charles, Louisiana

Allegation: Failure to maintain general liability insurance coverage.

Action: Proof of coverage provided.

Metal Builders Supply, Inc.

Baton Rouge, Louisiana

Allegation: Failure to maintain general liability and worker's compensation insurance coverages.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Scott Wiley

Ponchatoula, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

David P. Lambert

French Settlement, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Paul L. Guidry

Iowa, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Edgar J. Alleman, Jr.

Pierre Part, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

ACCU Builders, Inc.

Baton Rouge, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Found guilty. License suspended, fined and cease and desist order issued.

Boot Construction, LLC

Kenner, Louisiana

Allegation: Failure to maintain worker's compensation insurance coverage.

Action: Proof of coverage provided.

Lunsford Construction, LLC

West Monroe, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined, assessed all costs associated with the proceedings, and cease and desist order issued.

Marcus Brister

Denham Springs, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Robert and Lori Landers

Denham Springs, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Walter and Theresa Low

Baton Rouge, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Nathaniel Crump

Baton Rouge, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Joe Monsour, Jr.

Shreveport, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Aaron Mercadel

New Orleans, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Elbert Walker

Sicily Island, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Fined and assessed all costs associated with the proceedings.

Continued on page 11

Disciplinary Actions of State Licensing Board

Continued from page 10

May 2003 Commercial

Cahn Enterprises, Inc.

New Orleans, Louisiana

Allegation: Awarding a contract to an unlicensed contractor.

Action: Case dismissed.

Munters Corporation

Amesbury, Maine

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

William C. Simmons

Bogalusa, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Guilty plea. Settlement offer accepted.

Whitney Clementine Roofing

New Orleans, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Found guilty. Fined and assessed all costs associated with the proceedings.

Ricky Dauzat

Alexandria, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Case dismissed.

Joseph Furr Design Studio, LLC

Baton Rouge, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Case dismissed.

Joe E. Lindsey

West Monroe, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Case dismissed.

Hoar Construction, LLC

Lake Charles, Louisiana

Allegation: Entering into a contract with an unlicensed contractor to perform work in an amount in excess of \$50,000.

Action: Case dismissed.

East Coast Sign Advertising

Lake Charles, Louisiana

Allegation: Acting as a contractor without possessing a license to perform work in an amount in excess of \$50,000.

Action: Case dismissed.

Home Improvement Registration Act Highlights

Continued from page 2

4. Material misrepresentation to induce procurement of a contract.
5. Violation of state or local building code.
6. Failing to report change of trade name, address, or conducting business in a name different from registered name.
7. Failing to pay for materials or services when sufficient funds were received.
8. False representation that a person is a state licensed general contractor.

PENALTIES:

1. **Suspension of the registration** for period of time determined by the subcommittee, revocation of the registration, or reprimand.
2. **Administrative penalty not to exceed \$100 or 25% of total contract price, whichever is greater**, payable within thirty days, for each violation plus administrative costs incurred by the subcommittee.

EXEMPTIONS:

1. The **state** or its political subdivisions.
2. The **manufactured housing industry** or those engaged in work on factory-built, residential dwellings that are mounted on chassis and wheels.
3. **Homeowner** who physically performs work on his personal residence.
4. **State licensed** residential or commercial contractor.
5. **Electricians, plumbers, architects**, or other persons required by law to attain standards of competency or experience as a prerequisite to licensure who are acting exclusively within the scope of the profession for which they are currently licensed.
6. Any person who performs **labor or services** for a home improvement contractor **for wages** and does not act in the capacity as a home improvement contractor.
7. Any person who works exclusively in **landscaping or interior painting or wall covering**.

*****WEBSITE UPDATED*****

We are pleased to announce that our website www.lslbc.state.la.us has been updated and is now even more user-friendly. Several new topics have been added to the "Frequently Asked Questions" section of the site. In response to contractor requests, we have added a form which may be downloaded and mailed or faxed to the Board offices to report changes in address, phone number, fax number, e-mail address, and website address. The contractor search function has been completely redone to allow easy access to contractors by name, license number, city/town or parish, and type (classification).

Mold Remediation Act Highlights

Continued from page 3

2. A **nonresidential property owner, or the employee of such owner**, who performs mold remediation on an **apartment building owned by that person that has more than four dwelling units**;
3. An **owner, tenant, managing agent, or employee of an owner or tenant**, who performs mold remediation on property owned or leased by the owner or tenant unless the managing agent or employee engages in the business of performing mold remediation for the public;
4. An **employee of a licensee** who performs mold remediation while supervised by the licensee; and
5. A **licensed residential building contractor** who performs mold assessment or mold remediation services **no more than twenty square feet** when acting within the scope of his license.

NASCLA

National Association of State Contractors' Licensing Agencies
P.O. Box 14941 • Scottsdale, AZ 85267 • Fax (480) 948-4117

IF YOU NEED INFORMATION ON CONTRACTORS' LICENSING IN OTHER STATES, YOU NEED A COPY OF THE
CONTRACTORS' STATE LICENSING INFORMATION DIRECTORY.

The 2003 edition identifies over 150 state agencies that regulate the construction industry. The directory summarizes the pre-qualification, licensing, examination, and bonding requirements. Information, regarding reciprocity, license classifications, and fees, is also included.

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